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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,408	10/01/2001	Francis Patrick Kleinitz	DAVI205.004APC	2608

20995 7590 02/29/2008	EXAMINER
KNOBBE MARTENS OLSON & BEAR LLP	ADDY, THJUAN KNOWLIN
2040 MAIN STREET	

	ART UNIT	PAPER NUMBER
FOURTEENTH FLOOR	2614	
IRVINE, CA 92614		

NOTIFICATION DATE	DELIVERY MODE
02/29/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 October 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on June 11, 2007 has been entered. Claims 8, 18,

27, 28, 29, and 31 have been amended. No claims have been cancelled. No claims

have been added. Claims 1-33 are still pending in this application, with claims 1, 11,

27, 28, and 29 being independent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent : ..
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

2.   Claims 1-5, 7-15, 17-24, and 27-33 are rejected under 35 U.S.C. 102(e) as being

anticipated by Huotari et al. (US 6,044,264).

3.   In regards to claims 1, 11, 27, 28, and 29, Huotari discloses a call processing

method and network system (See Abstract), including: receiving a user initiated

communications call; processing characteristic data (e.g., subscriber based trigger key)

associated with the communications call at a network switch (e.g., mobile services

switching center) to determine if intelligent network service data (e.g., intelligent network

service) is required to establish said call (See col. 3 lines 26-40 and col. 7 lines 6-16);

passing said characteristic data (via means of the MAP protocol) to a Visitor Intelligent

Network (e.g., Visitor Location Register [VLR]) when said service data is required (See

col. 7 lines 22-34); processing at least part of said characteristic data by said VIN (e.g.,

VLR) to determine a network location (e.g., PSTN, PBX, ISDN, etc.) to access in order

to obtain said service data, and to determine a communication protocol for connecting

to said network location, said service data being required to establish said call, wherein

said protocol and said network location (See col. 7 lines 25-29) are obtained from a

Home Intelligent Network (e.g., Home Location Register [HLR]); obtaining said service

data from said network location in accordance with said protocol and passing said

service data to said switch to establish said call; and establishing said call based on

said service data (See col. 8-9 lines 44-17).

4.   In regards to claims 2 and 12, Huotari discloses a call processing method and
network system, including storing said service data in said VIN (e.g., VLR) for

subsequent requests for said service data (See col. 7 lines 22-34).

5.   In regards to claims 3 and 13, Huotari discloses a call processing method and

network system, including deleting said service data from said VIN (e.g., VLR) after a

predetermined period of time (See col. 4 lines 9-15).

6.   In regards to claims 4, 9, 14, and 19 Huotari discloses a call processing method

and network system, wherein said HIN (e.g., HLR) is in a central IN service data

database (See col. 5 lines 1-3 and col. 7 lines 22-25).

7.   In regards to claims 5, 15, and 22, Huotari discloses a call processing method,

wherein said HIN (e.g., HLR) is in a local mobile network (See col. 5 lines 1-3 and col. 7

lines 22-25).

8.   In regards to claims 7 and 17, Huotari discloses a call processing method and

network system, wherein said VIN (e.g., VLR) is local to a user originating said call (See

col. 5 lines 5-9).

9.   In regards to claims 8 and 18, Huotari discloses a call processing method and

network system, wherein said VIN (e.g., VLR) includes computer logic configured to:

communicate with said HIN (e.g., HLR) so as to obtain said service data (e.g., trigger

key/subscriber data; and cache said service data for users in a service area of said VIN

(See col. 7 lines 22-34).

10.   In regards to claims 10 and 20, Huotari discloses a call processing method and

network system, wherein said communications call includes a voice, data, or messaging

connection (See col. 8-9 lines 44-17).

11.   In regards to claim 21, Huotari discloses a network system, including a plurality

of VINs (e.g., VLR) covering respective areas (See col. 5 lines 1-8).

12.   In regards to claim 23, Huotari discloses a network system, wherein said service

data is terminal network selection data (See Abstract).

13.   In regards to claim 24, Huotari discloses a network system, wherein said VIN

(e.g., VLR) includes means for policing messages passed between networks (See col. 5

lines 1-8).

14.   In regards to claim 30 and 32, Huotari discloses a call processing method,

wherein the HIN (e.g., HLR) is configured to function as a service data point and as a

service control point, and the VIN (e.g., VLR) is configured to function as an service

data point and as a service control point (See col. 5 lines 1-8 and col. 8 lines 22-43).

15.   In regards to claims 31 and 33, Huotari discloses a call processing method,

wherein said VIN (e.g., VLR) is configured to receive said service data from said HIN

(e.g., HLR) for said user initiated call, and is configured to not receive IN service data

for a second user in a service area of the VIN, until said second user initiates a

communications call requiring IN service data (See col. 8 lines 22-43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

16.   Claims 6, 16, 25, and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huotari et al. (US 6,044,264), in view of McConnell (US 5,517,562).

17.   In regards to claims 6 and 16, Huotari discloses all of claims 6 and 16 limitations,

except a call processing method and network system, wherein said HIN is in a foreign

telecommunications network. McConnell, however, discloses a call processing method

and network system, wherein said HIN (e.g., SCP 35 and SCE 41) is in a foreign

telecommunications network (See Fig. 7 and Fig. 6). Therefore, it would have been

obvious for one of ordinary skill in the art at the time of the invention, to incorporate this

feature within the system, as a way of allowing custom features, such as call forwarding,

and other services to be available and accessible by mobile users.

18.   In regards to claim 25 and 26, Huotari discloses all of claims 25 and 26

limitations, except a method and network system, wherein the communication protocol

is selected from the group of protocols consisting of INAP, IS41, MTUP, and TCP/IP.

McConnell, however, discloses the use of a variety of protocols, including a TCP/IP

protocol (See col. 8-9 lines 61-2).

Response to Arguments

19.   Applicant's arguments with respect to claims 1-33 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-

7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

21.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

22.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan K. Addy
Patent Examiner
AU 2614